

WEBB COUNTY, TEXAS

COMMISSIONERS COURT AGENDA

LOUIS H. BRUNI Webb County Judge (956) 523-4600

FRANK SCIARAFFA Commissioner, Precinct 1 (956) 523-4660

JUDITH G. GUTIERREZ Commissioner, Precinct 2 (956) 523-4624

JERRY GARZA Commissioner, Precinct 3 (956) 523-4625

CINDY CORTEZ BRUNNER Commissioner, Precinct 4 (956) 523-4652

MARGIE IBARRA Webb County Clerk (956) 523-4251

HOMERO RAMIREZ Webb County Attorney (956) 523-4044

LEO FLORES Webb County Auditor (956) 523-4016

DELIA PERALES WEBB COUNTY TREASURER (956)523-4051

PUBLIC NOTICE

COMMISSIONERS COURT MEETING
Webb County Courthouse
1000 Houston Street, 2ND Floor
Laredo, Texas 78040
Tuesday March 29, 2005 1:00 p.m. and continuing
Wednesday March 30, 2005
1:00 p.m.

- 1. Call to order by the Honorable County Judge, Louis H. Bruni
- 2. Roll call by the Honorable County Clerk, Margie Ibarra
- 3. Pledge of Allegiance
- **4.** Approval of Minutes for February 22, 2005 and February 28, 2005
- 5. Approval of Bills, Payroll and Monthly Reports
- 6. Communications
- 7. Public Comment- This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

HONORABLE LOUIS H. BRUNI, WEBB COUNTY JUDGE

- **8.** Discussion and possible action to appoint a committee member to serve on the City of Laredo-Webb County Joint Airport Zoning Board.
- **9.** Discussion and possible action to approve a Resolution opposing President George W. Bush's proposed budget eliminating Community Development Block Grants from the Fiscal Year 2006 Federal Budget.
- 10. Status report on acquisition and quality of Caliche Base Material for the maintenance of public roads in Webb County with discussion and possible action to direct the Webb County Road and Bridge Superintendent to obtain Caliche Base Material of a quality suitable to the construction and maintenance of public roads.
- 11. Status report on the acquisition of flexible base material at \$6.50/cu yd for caliche delivered on site (by others) for county improvements at colonias as per Road and Bridge Department's "Exibit (sic) A and B" as furnished to the court at its regularly scheduled meeting on March 14, 2005, with discussion and possible action to make changes to the plan of flexible base material acquisition as necessary to its success, and any other matters incident thereto.

HONORABLE CINDY CORTEZ BRUNNER, COMMISSIONER PRECINCT 4

12. Discussion and possible action authorizing Change Order No. 1 to Zertuche Construction, not to exceed \$15,439.00, for the repairs to the Azteca Community Center Building located at 14 Iturbide.

HONORABLE JUDITH G. GUTIERREZ, COMMISSIONER PRECINCT 2

- **13.** Presentation by Kecia Batsell of the American Heart Association on Go Red for Women Campaign.
- 14. Report from the County Engineer on the status of ROW Acquisition and roads on Colonias located on Hwy 359, and FM 1472 (Mines Road) and FM 3338 (Las Tiendas Rd)

15. Report from Turner Collie & Braden or the County Engineer on the status of the Water and Sewer Improvements Project on Colonias located on Hwy 359, and FM 1472 (Mines Road) and FM 3338 (Las Tiendas Rd.

COMMISSIONERS COURT

16. Consideration and adoption of an order authorizing the issuance of "Webb County, Texas Limited Tax Refunding Bond, Series 2005," and making provisions for the security thereof; authorizing a purchase contract; and approving other matters relating thereto.

MEDIA BREAK

COMMUNITY ACTION AGENCY

- **17.** Discussion and possible action to submit application to City of Laredo for the third party funding for the Elderly Nutrition Program, in the amount of \$30,000.00, for FY- 2005-2006.
- **18.** Discussion and possible action to submit application to City of Laredo for third party funding for the Meal On Wheels Program, in the amount of \$30,000.00, FY- 2005-2006.
- 19. Discussion and Possible Action to approve the appointment of a Civic/Social Organization for "Category C" for the Community Action Agency Advisory Board to fill current vacancy. The Laredo Center for the Arts is being recommended for approval by the Community Action Agency (CAA) Advisory Board.
- **20.** Discussion and Possible Action on the approval to grant the County Auditor, authority to expend funds from the Weatherization Program, effective April 1, 2005, pending the receipt of all required grant documents and allocation.

CONSTABLE PCT 3

21. Discussion and possible action to approve the following line item transfer:

From: Telephone Account # 001-2501-6004 \$ 1,400.00 To: Uniform Account # 001-2501-6202 \$ 1,400.00

COUNTY ATTORNEY

22. Discussion and possible action to adopt changes to the bylaws governing the Community Action Agency Advisory Board. The two changes now provide that Category "B" Advisory Board Members will consist of ten (10) to twelve (12) elected members, and that no action will be taken by the advisory board while meeting is in closed session, and authorizing the County Judge to sign all relevant documents. [Requested by Community Action Agency]

- 23. Discussion and possible action to enter into an interlocal agreement with the City of Laredo to accept funding in the amount of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) for the Webb County Community Action Agency's Elderly Nutrition Program for Fiscal Year 2004-2005 (October 1, 2004 September 30, 2005) to provide meals to approximately 1,500 individuals within the City of Laredo and authorizing the County Judge to execute any and all relevant documents. [Requested by Community Action Agency, Account No. 001-0112-7200-07 (Elderly Nutrition Fund 955)]
- 24. Discussion and possible action to enter into an interlocal agreement with the City of Laredo to accept funding in the amount of SEVEN THOUSAND ONE HUNDRED AND TWENTY-FIVE DOLLARS (\$7,125.00) for the Webb County Community Action Meals on Wheels Program for Fiscal Year 2004-2005 (October 1, 2004 September 30, 2005) to provide meals to approximately 200 eligible individuals within the City of Laredo and authorizing the County Judge to execute any and all relevant documents. [Requested by Community Action Agency, Account No. 001-0112-7200-04 (Meals on Wheels Fund 952)]
- 25. Discussion and possible action to enter into a contract amendment with Arturo G. Garza- Gongora, M.D. wherein Dr. Garza-Gongora will provide additional medical services, which include but not limited, to screening for tuberculosis as well as being designated chief medical director of all medical services provided at the Webb County Law Enforcement Center at a monthly cost of THIRTEEN THOUSAND NINE HURED AND ONE DOLLARS AND FIFTY CENTS (\$13,901.51), and authorizing the County Judge to sign all relevant documents. [Requested by the Webb County Sheriff; Account No. 001-2062-6022 (Professional Services)]

- 26. Discussion and possible action to enter into a one (1) year (March 28, 2005 through March 27, 2006) subscriber agreement with Autophone of Laredo to provide Nextel Communication Services for one (1) Nextel phone/walkie-talkie radio. The one-time cost of the Nextel radios is NINETY-NINE CENTS (\$0.99) with a total monthly communication air-time service fee for the radio of FORTY-FIVE DOLLARS AND NINETY-FIVE CENTS (\$45.95) for a total cost of FIVE HUNDRED AND FIFTY-ONE DOLLARS AND FORTY CENTS (\$551.40) over the term of the agreement, and authorizing the county judge to execute all relevant documents. [Requested by Rio Bravo Community Center, Account No. 001-0109-6004 (Telephone)]
- 27. Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia of Penitas in the amount of FOUR MILLION EIGHT HUNDRED FIFTY ONE THOUSAND FIVE HUNDRED FIFTY ONE DOLLARS (\$4,851,551.00) for paving and drainage improvements, and authorizing the County Judge to sign all relevant documents.
- 28. Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in D-5 Acres in the amount of TWO HUNDRED NINETY TWO THOUSAND ONE HUNDRED FIFTY EIGHT DOLLARS (\$292,158.00) for paving and drainage improvements and authorizing the County Judge to sign all relevant documents.
- 29. Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in Los Altos in the amount of SEVEN HUNDRED EIGHTY-EIGHT THOUSAND TWO HUNDRED FIFTY NINE DOLLARS (\$788,259.00) for paving and drainage improvements, and authorizing the County Judge to sign all relevant documents.
- 30. Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in Ranchitos 359 East in the amount of FOUR HUNDRED SIXTY THREE THOUSAND FOUR HUNDRED SEVENTY-NINE DOLLARS (\$463,479.00) for paving and drainage improvements and authorizing the County Judge to sign all relevant documents.

- 31. Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia of San Carlos #1 and #2 in the amount of ONE MILLION SEVEN HUNDRED FIFTY ONE THOUSAND ONE HUNDRED THIRTY-SIX DOLLARS (\$1,751,136.00) for paving and drainage improvements, and authorizing the County Judge to sign all relevant documents.
- 32. Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in Tanquesitos South Acres # 1 and #2 in the amount of ONE MILLION FOUR HUNDRED FIFTY FIVE THOUSAND FOUR HUNDRED THIRTY NINE DOLLARS (\$1,455,439.00) for paving and drainage improvements and authorizing the County Judge to sign all relevant documents.
- 33. Discussion and possible action to enter into an agreement with the State of Texas by Resolution and Order of the Commissioners Court agreeing to the terms and conditions of the Funding Agreement for Border Colonia Access Program for the Colonia in Old Milwaukee East and West in the amount of FOUR HUNDRED EIGHTY ONE THOUSAND FOUR HUNDRED FORTY ONE DOLLARS (\$481,441.00) for paving and drainage improvements and authorizing the County Judge to sign all relevant documents.
- 34. Discussion and possible action to enter into an amendment number 2 to the "Local Transportation Project Advance Funding Agreement for A Statewide Connectivity Corridor Project" with the State of Texas, Texas Department of Transportation (Quatro Vientos Road) by reducing the proposed Seven Lane Urban Section to a Five Lane Urban Section and authorizing the County Judge to sign all relevant documents.

- 35. Discussion and possible action to enter into a one (1) year (April 7, 2005 through April 6, 2006) Contract for Grant 5311 RPT 0504 (22) 28 (51522F7136) with the State of Texas, Texas Department of Transportation, for the "El Aguila" Rural Transportation Department, and authorizing the County Judge to execute all relevant documents.. The State is awarding Webb County TWO HUNDRED AND TWENTY-ONE THOUSAND AND THREE HUNDRED AND THIRTEEN DOLLARS (\$221,313.00) under the Grant agreement. [Requested by the CAA/ El Aguila Rural Transportation Department, Account No. 980-4204 (Administration) and 980-4205 (Operations)]
- 36. Discussion and possible action to authorize the Webb County Juvenile Department to submit to the State of Texas, Office of the Governor Criminal Justice Division a grant application for a Juvenile Accountability Block Grant (JABG) in the amount of FIFTEEN THOUSAND SEVEN HUNDRED SIXTY TWO DOLLARS (\$15,762.00) and approving matching funds of ONE THOUSAND SEVEN HUNDRED FIFTY ONE DOLLARS (\$1,751.00) and County Judge to sign all relevant documents. [Requested by Juvenile Department]
- **37.** Discussion and possible action to enter into a one year consulting services agreement (April 1, 2005 through March 31, 2006) with Robert W. Lazarus and Associates Inc. and RWL Benefits, Inc. d/b/a RWL GROUP for Property and Casualty and Employee Benefits Consulting Services at a total cost of THIRTY-SIX THOUSAND DOLLARS (\$36,000.00) being \$3,000 per month and authorizing the County Judge to sign all relevant documents.

DISTRICT ATTORNEY

38. Discussion and possible action to approve the following line item transfer:

From: Professional Services Account # 001-1100-6022 To: Books & Subscriptions Account #001-1100-6010	\$2000.00 \$2000.00
From: Equipment Rental 001-1100-6014 To: Fuel & Lubricants 001-1100-6204	\$1000.00 \$1000.00

ECONOMIC DEVELOPMENT

- **39.** Discussion and possible action to proclaim April 2005 as Fair Housing Month and April 11-15, 2005 as Fair Housing Week and designating the Webb County Community Action Agency responsible for monitoring Fair Housing in Webb County.
- **40.** Discussion and possible action to approve the surveying and fencing of 37 acres in Colonia La Presa, County property off of Mangana Hein Road utilizing account # 695-6004-8710-3 (Park Development) in the amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) and to authorize the Purchasing Agent to solicit proposals for the surveying.

ELECTIONS

41. Discussion and possible action to engage the Law Offices of Rolando L. Rios regarding the realignment, pursuant to Texas Election Code Section 42.031, of current county election precincts 345 and 446 in order to bring these election precincts into compliance with state law, Texas Election Code Section 42.006, and any other matters incident thereto.

ENGINEER

- **42.** Discussion and Possible Action Authorizing Change Order No. 4 to Ramos Industries, Inc. increasing the Contract price of \$1,383,723.00 by \$8,150.00 to a total of \$1,391,873.00 and adding 90 days to the completion time for the TWDB-EDAP Waste Water Collection System project on the north side of El Cenizo.
- **43.** Discussion and Possible Action Authorizing Change Order No. 4 to Ramos Industries, Inc. increasing the Contract price of \$4,386,286.52 by \$2,379.61 to a total of \$4,388,666.13 and adding 60 days to the completion time for the TWDB-EDAP 1.5 million gallons per day Regional Waste Water Treatment Plant project.

- **44.** Discussion and Possible Action Authorizing Change Order No. 3 to Satterfield & Pontikes Construction, Inc., increasing the contract price by \$52,884.18 for Electrical work, one trailer mounted diesel pump, installation of hand rails and headwall for drain pipe and a temporary raw water pipeline. The contract will increase from \$11,347,572.80 to \$11,400,456.98. This action is subject to Texas Water Development Boards' approval. Executive Session may be requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).
- **45.** Discussion and Possible Action Authorizing the Purchasing Agent, Director of Facilities and the County Engineer to repair the existing mechanical, electrical, and pneumatic control equipment to the entire heating and air condition system of the old Tex-Mex Building at a cost not to exceed \$30,000.00.

FACILITIES

46. Discussion and possible action to fill custodial slot #038 at \$8.42 per hour and charge to account #001-0106-5001 payroll.

HEAD START

47. Proclamation for "April as Head Start Month in Webb County" presented by the Head Start Director.

INDIGENT SERVICES

48. Discussion and Possible Action to approve line item transfer as follows:

From: 001-4101-6014 Equipment Rental \$ 90.00 001-4101-6010 Books & Subscription \$110.00

To: 001-4101-6403 Repairs/Maint. Vehicle \$ 200.00

PURCHASING

49. Discussion and possible action to authorize the Purchasing Agent to purchase the following vehicles from Philpott Motors through the Houston Galveston Area Council state contract Bid VE10-03 for the Sheriff's department:

11	Patrol Vehicles	\$344,807.65
1	Slick Top Vehicle	\$ 23,935.15
2	Prisoner Vans	\$ 51,484.50
1	Cargo Van	\$ 22,411.00
1	F150 Ford 4x4 Super Crew	\$ 30,313.35
1	F150 Ford 4x4 Super Crew	\$ 35,407.25

GRAND TOTAL:

\$508,358.90

- **50.** Discussion and possible action to authorize the Purchasing Agent to purchase the following vehicles from Philpott Motors through the Houston Galveston Area Council state contract Bid VE10-03 for the Sheriff's department:
 - 2 F150 Ford 4x4 Super Crew

\$ 65,592.50

- **51.** Discussion and possible action to authorize the Purchasing Agent to issue a purchase order contract for 34 shotguns from Border Sporting Goods in the amount of \$9,552.30 for the Sheriff's department.
- **52.** Discussion and possible action to authorize the Purchasing Agent to purchase Scanning Equipment from Southern Computers in the amount of \$15,308.37 for the District Clerk's Office.
- **53.** Discussion and possible action to authorize the Purchasing Agent to purchase a refrigerant reclaim system from Thermo King of Houston in the amount of \$5,108.00 for Building Maintenance, Raul Elizondo-Facilities Director.
- **54.** Discussion and possible action for the Purchasing Agent to obtain the services of GMS Gutierrez Machine Shop to repair one Case backhoe Unit 1304 in the amount of \$5,950.00 for the Water Utilities Department.
- **55.** Discussion and possible action to authorize the Purchasing Agent to obtain cellular services for John Ornes, Network Administrator with 500 minutes for the M.I.S. Department.

- **56.** Discussion and possible action to authorize the Purchasing Agent to issue a purchase order contract to Holt Machinery in the amount of \$19,913.98 to repair one (1) Catepillar D6H, Road and Bridge Department.
- **57.** Discussion and possible action for the Commissioners Court to award/reject the following bids for the CAA-Weatherization Program and CEAP program to the following vendors:

Bid No. 2005-49 Weatherization Contractors for Labor & Materials

Primary- Juan Rodriguez Secondary-AA Builders

Bid No. 2005-50 Weatherization Contractors for Attic &Wall Insulation

Primary-Border Insulation

Bid No. 2005-51 Window A/C Units, Space Heaters & Refrigerators

Primary-Juan Rodriguez

Bid No. 2005-52 Water Heaters

Primary-AA Builders

Secondary-City Plumbing

Bid No. 2005-53 Central Heating/Cooling Units (HVAC)

Primary-AA Builder

SHERIFF

- **58.** Discussion and possible action to approve the submission of a grant application to the Bureau of Justice Assistance Office of Justice Programs U.S. Department of Justice for the Edward Byrne Memorial Justice Assistance Grant (JAG) for one (1) correctional officer position and computer equipment in the amount of \$62,372. This grant requires no match, and thus, is at no cost to the county.
- **59.** Discussion and possible action to approve the submission of a grant application to the Bureau of Justice Assistance Office of Justice Program U.S. Department of Justice for the FY 2005 State Criminal Alien Assistance Program (SCAAP) to reimburse the Webb County jail for incurred correctional officer salary costs associated with incarcerated undocumented criminal aliens during the reporting period of July 1, 2003 through June 30, 2004. This grant requires no match, and thus, is at no cost to the county.

- **60.** Discussion and possible action to approve the following changes for personnel of the Webb County Sheriff's Department effective March 28, 2005. The salary increases are equal to the salary decreases and the amount of personnel costs budgeted for fiscal year 2004-2005 remain unchanged.
- **61.** Discussion and possible action to approve a line item transfer for the amount \$31,632.00 from account no. 001-2061-5001 (Payroll) to account no. 001-2060-5005 (Temporary Part time).

TAX ASSESSOR COLLECTOR

62. Discussion and possible action to approve request from the Tax Assessor Collector's Office, Dept 0700, to charge a 55 commission based on motor vehicle sale price as permitted by law, to buyers of vehicles purchased out of state and who paid taxes to a state other than Texas.

EXECUTIVE SESSION

- 63. Discussion and possible action concerning licensing agreement between Webb County and Laredo International Fair & Exposition, and concerning purported lease agreement between Laredo International Fair & Exposition and Gilbert Texas Construction, L.P. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]
- **64.** Adjournment

The Webb County Commissioners Court hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

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C DIS	ABILITY	ACCES	S STAT	TEMENT	~

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

DATED THIS DAY OF MARCH, 2005.
By: YOLANDA L. CARRILLO COURT ADMINISTRATOR
CERTIFICATION OF NOTICE AND POSTING
I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the

meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the ______ day of ______, 2005 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

DATED THIS _____ DAY OF _______, 2005

COUNTY CLERK, WEBB COUNTY, TEXAS